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JUN 29 2004

PATENT CASE CV01379K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re Application of:  
Harry R. Davis et al.

Examiner: Shengjun Wang

For:  
COMBINATIONS OF NICOTINIC ACID AND:  
DERIVATIVES THEREOF AND STEROL  
ABSORPTION INHIBITOR(S) AND  
TREATMENTS FOR VASCULAR  
INDICATIONS

Group Art Unit: 1614

Date: June 29, 2004

Serial No.: 10/057,646

Filed: January 25, 2002

INFORMATION DISCLOSURE STATEMENTCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to Rule 56, it is requested that the documents listed on the accompanying PTO-1449 Form be considered and made of record in the above-identified patent application. Copy(ies) of these references ☒ are attached ☐ were filed in related application U.S. Serial No(s) \_\_\_\_\_ filed \_\_\_\_\_, respectively.

## (b) No fee is believed due because:

- ☐ This Information Disclosure Statement is being filed within three (3) months of the filing date of the application.
- ☐ This Information Disclosure Statement is being concurrently filed with the above-identified application.
- ☐ This Information Disclosure Statement is being concurrently filed with a Request for Continued Examination (RCE).
- ☐ This Information Disclosure Statement is being filed prior to the mailing of a first Office Action on the merits.

(c) ☐ This Information Disclosure Statement is being filed before the mailing date of any final action, notice of allowance or an action that otherwise closes prosecution; and

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent

Serial No. 10/057,646  
April 12, 2004  
Page 2 of 2


office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

- ☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.
- (d) ☒ This Information Disclosure Statement is being filed on or before the payment of the issue fee; and
- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; and
- ☒ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-0395, Patent Case No. CV01379K.

Respectfully submitted,  
SCHERING-PLOUGH CORPORATION

Dated: June 29, 2004  
SCHERING-PLOUGH CORPORATION  
Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, NJ 07033-0530  
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By: \_\_\_\_\_

  
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Sheet 1 of 1

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: CV01379K		APPLICATION NO.: 10/057,646	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use several sheets if necessary)</i>				APPLICANT: HARRY R. DAVIS et al.			
				FILING DATE: 01/25/2002		GROUP: 1617	
<b>U.S. PATENT DOCUMENTS</b>							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AL						
	AM						
	AN						
	AO						
	AP						
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	AQ	US Patent Application Serial No. 10/636,900					
	AR						
	AS						
	AT						
	AU						
	AV						
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							